



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

GERALD C. MANN
XXXXXXXXXXXXXXXXXXXX
ATTORNEY GENERAL

Honorable Julian Montgomery
State Highway Engineer
Austin, Texas

Dear Sir:

Opinion No. 0-1043

Re: For what period of time may a
passenger motor vehicle from
out of state remain in Texas
without the payment of registra-
tion fees in this State?

Your request for an opinion as to what period of
time a passenger motor vehicle which is properly registered
in another state or county for the current registration
year may remain in Texas without the payment of registra-
tion fees in this state if the owner or operator of such
vehicle is employed in Texas, has been received by this
department.

We are enclosing a copy of an opinion by this
department to the Honorable E. P. Jennings, June 22, 1939,
which we believe will throw some light upon your question.

Section 3 of Article 827b of our Penal Code re-
quires:

"The non-resident owner or operator
of any passenger car shall within twenty-
five days after commencing to operate such
vehicle, or causing or permitting it to be
operated within this State apply to the
Department, through any County Tax Collector,
for the temporary registration thereof upon
the appropriate official from stating there-
in the name and home address of the owner
and appropriate official from stating there-
in the name and home address of the owner
and the temporary address, if any, of the
owner or operator while within this State,
the registration number of said vehicle

assigned thereto in the state or country
in which the owner is a resident, . . ."

The last sentence of the above article reads as follows:

"Each such application shall be accompanied by a fee of fifty cents, ten cents to be retained by the Tax Collector and fifteen cents to be placed in the General Funds of the county where collected and twenty-five cents to be remitted on Monday of each week to the State Highway Department, together with a copy of such receipt."

Section 4 of Article 827b of our Penal Code provides that under such registration a non-resident though employed in Texas may operate his motor vehicle upon the highways of this state not exceeding one hundred and twenty days from the date of issuance of said certificate. You will observe that the person inquired about in your letter may operate his motor vehicle in this state for a period of twenty-five days without the payment of any fee, but if he expects to remain after the expiration of twenty-five days he must make application for a license or non-resident registration prior to the expiration of the twenty-five days. The fee for a non-resident registration is fifty cents as provided in Section 3, Article 827b of our Penal Code. Upon receipt of a non-resident registration the vehicle may be operated for one hundred and twenty days from the date of issuance of such receipt without the payment of the customary registration fee.

Yours very truly

ATTORNEY GENERAL OF TEXAS

By Morris Hodges
Assistant

MH:FL--pam
ENCLOSURE

APPROVED JUL 18 1939
W. F. MOORE
FIRST ASSISTANT
ATTORNEY GENERAL

APPROVED OPINION COMMITTEE
BY WRK, CHAIRMAN